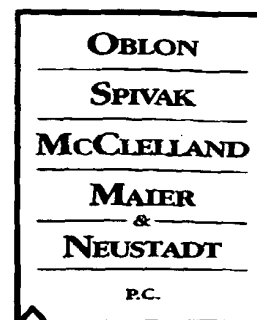


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Docket No.: 217543US0CONT



COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

RECEIVED
DEC 04 2003
TECH CENTER 1600/2900
ATTORNEYS AT LAW

RE: Application Serial No.: 10/029,871
Applicants: Yukio IINO, et al.
Filing Date: December 31, 2001
For: HETEROCYCLIC COMPOUNDS AND MEDICAL
USE THEREOF
Group Art Unit: 1624
Examiner: PATEL, S.B.

SIR:

Attached hereto for filing are the following papers:
**Certificate of Translation (Atsushi HAKODA), Certified English translation of International
Application No. PCT/JP00/04298 filed June 29, 2000**

Our check in the amount of -0- is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

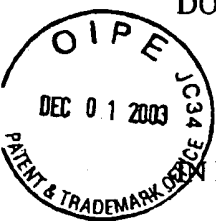
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DOCKET NO.: 217543US0CONT



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

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TECH CENTER 1600/2900

RE APPLICATION OF:

Yukio IINO, ET AL

: EXAMINER: PATEL, S.B.

SERIAL NO. : 10/029,871

:

FILED: DECEMBER 31, 2001

: GROUP ART UNIT: 1624

FOR: HETEROCYCLIC COMPOUNDS AND MEDICAL USE THEREOF

LETTER TO PTO

COMMISSIONER FOR PATENTS
ALEXANDRIA, VA 22313-1450

SIR:

Further to the Amendment and Request for Reconsideration filed on November 21, 2003 and in response to the Official Action dated May 21, 2003, Applicants respectfully submit herewith a certified English translation of International Application No. PCT/JP00/04298, filed on June 29, 2000.

Applicants note that Luzzio et al, used as the basis for an anticipation rejection in the Office Action dated May 21, 2003, published on December 13, 2001. In contrast, the present application was filed as International Application No. PCT/JP00/04298 on June 29, 2000, which is nearly 18 months prior to the publication of Luzzio et al.

In view of the submission of the certified English translation of International Application No. PCT/JP00/04298, filed on June 29, 2000, Applicants request that the Office acknowledge their claim to priority under 35 U.S.C. §120. In view of this acknowledgement, Applicants submit that Luzzio et al should not be available as a reference and the rejection over this reference should be withdrawn.